

Serial No. 10/552,784

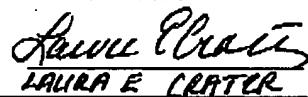
Page 1 of 2

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JAN 22 2007

IN THE UNITED STATES PATENT OFFICE**PATENT APPLICATION****Applicant(s):** Anthony Scott Oddo et al.**Serial No.:** 10/552,784**I.A. Application No.:** PCT/US04/10311**I.A. Filing Date:** 04/02/2004**For:** CONTENT NOTIFICATION AND DELIVERY**Group Art Unit:** Unknown **Examiner:** Unknown**Confirmation #:** Unknown**Attorney Docket No.:** SEDN/PRED115

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 I hereby certify that this correspondence is being deposited with the  
 United States Postal Service with sufficient postage for first class  
 mail in an envelope addressed to: Commissioner for Patents, P.O.  
 Box 1450, Alexandria, VA 22313-1450, or being facsimile  
 transmitted to the USPTO, on the date indicated below.

1/22/2007  
Date  
LAURA E. CRATER

MAIL STOP PETITIONS  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

SIR:

**RENEWED PETITION UNDER 37 CFR 1.47(a)**

Submitted herewith are:

1. REQUEST FOR RECONSIDERATION OF PETITION FOR FILING OF PATENT  
 APPLICATION WHEN JOINT INVENTOR(S) REFUSES TO JOIN IN APPLICATION OR CANNOT  
 BE REACHED UNDER 37 C.F.R. §1.47(a);

2. Supporting DECLARATION OF YVETTE THORNTON.

Applicants respectfully request a two (2) month extension of the period for requesting  
 reconsideration of the Office's September 29, 2006 denial of Petition Under 37 CFR 1.47(a).  
 The Commissioner is authorized to charge counsel's Deposit Account No. 20-

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0782/SEDN/PRED115 for the extension fee and any other fees (including further extension of time fees) to make this submission timely and complete.

Respectfully submitted,



Eamon J. Wall, Attorney  
Reg. No. 39,414  
(908) 530-9404

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JAN 22 2007

Dated: 1/22/07

PATTERSON & SHERIDAN, LLP  
595 Shrewsbury Avenue, Suite 100  
Shrewsbury, New Jersey 07702  
Telephone: 732-530-9404  
Fax: 732-530-9808

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IN THE UNITED STATES PATENT OFFICERECEIVED  
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## PATENT APPLICATION

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**Applicant(s):** Anthony Scott Oddo et al.**Serial No.:** 10/552,784**I.A. Application No.:** PCT/US04/10311**I.A. Filing Date:** 04/02/2004**For:** CONTENT NOTIFICATION AND DELIVERY**Group Art Unit:** Unknown **Examiner:** Unknown**Confirmation #:** Unknown**Attorney Docket No.:** SEDN/PRED115

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*1/22/2007* *Laura E. Craze*  
 Date *Laura E. Craze*

MAIL STOP PETITIONS  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

SIR:

**REQUEST FOR RECONSIDERATION OF PETITION FOR FILING OF PATENT**  
**APPLICATION WHEN JOINT INVENTOR(S) REFUSES TO JOIN IN APPLICATION OR**  
**CANNOT BE REACHED UNDER 37 C.F.R. §1.47(a)**

On 09 June 2006, Petitioner filed a response to the Notification of Missing Requirements. The submission included the required surcharge payment, declarations executed by two of the five inventors and a Petition under 37 CFR 1.47(a). The said Petition seeks acceptance of the application without the signature of the three remaining inventors.

A grantable petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17; (2) a statement of the last known address of the non-signing inventor; (3) an oath or declaration executed by the other inventors on behalf of themselves and the non-signing

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inventor; and (4) factual proof that the inventor refuses to execute the application or cannot be reached after diligent effort.

On October 2, 2006, Petitioner received a decision from the USPTO finding the petition satisfactory in regard to item (1) and (3). Items (2) and (4) were satisfied in regard to inventor Thomas J. Renger. Items (2) and (4) were found "not satisfied" with respect to inventors Thurston and Hosea. Petitioner requests reconsideration in light of the attached further Declaration of Yvette Thornton.

The last known addresses of the remaining non-signing inventors are:

Nathaniel J. Thurston  
Vidskipti Thorsteins ehf.  
Aegisgata 7  
101 Reykjavik  
ICELAND

Devin Hosea  
Managing Director  
Ritchie Capital Management, LLC  
747 Third Avenue, 39<sup>th</sup> Floor  
New York, New York 10017

It is submitted that the Declaration of Yvette Thornton establishes that inventors Thurston and Hosea have been located, have been provided with requests for signature accompanied by copies of the complete application, and have failed to provide the requested signatures thereby refusing to join in the application. Accordingly, Petitioner respectfully requests that the Petition Under 37 CFR 1.47(a) be granted and that the Commissioner accept filing of this application by the signing inventors on behalf of themselves and the non-signing inventors.

Petitioner requests a two (2) month extension of the period for requesting reconsideration. Please charge the fees associated with this request and any other fees (including further extension of time fees) to counsel's Deposit Account No. 20-0782/PRED115.

Respectfully submitted,

  
\_\_\_\_\_  
Eamon J. Wall, Attorney

Reg. No. 39,414  
(908) 530-9404

Dated: 1/22/07

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**PATTERSON & SHERIDAN, LLP**  
595 Shrewsbury Avenue, Suite 100  
Shrewsbury, New Jersey 07702  
Telephone: 732-530-9404  
Fax: 732-530-9808

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Page 1 of 5RECEIVED  
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IN THE UNITED STATES PATENT OFFICE**PATENT APPLICATION****Applicant(s):** Anthony Scott Oddo et al.**Serial No.:** 10/552,784**I.A. Application No.:** PCT/US04/10311**I.A. Filing Date:** 04/02/2004**For:** CONTENT NOTIFICATION AND DELIVERY**Group Art Unit:** Unknown **Examiner:** Unknown**Confirmation #:** Unknown**Attorney Docket No.:** SEDN/PRED115MAIL STOP PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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 Box 1450, Alexandria, VA 22313-1450, or being facsimile  
 transmitted to the USPTO, on the date indicated below.

1/22/2007  
Date*Laura E. Crater*  
LAURA E. CRATER

SIR:

**DECLARATION OF YVETTE THORNTON IN SUPPORT OF REQUEST FOR**  
**RECONSIDERATION OF PETITION FOR FILING OF PATENT APPLICATION WHEN**  
**JOINT INVENTOR(S) REFUSES TO JOIN IN APPLICATION OR CANNOT BE REACHED**  
**UNDER 37 C.F.R. §1.47(a)**

Yvette Thornton declares:

1. I am a Patent Agent (Registration No. 57,812) employed by Sedna Patent Services, LLC, 1500 Market Street, 27<sup>th</sup> Floor-West Tower, Philadelphia, Pennsylvania 19102, hereinafter "Sedna."
2. This Declaration supplements my Declaration filed on June 9, 2006 and is in support of Request for Reconsideration of Petition for Filing of Patent Application When Joint Inventor(s) Refuses to Join in Application or Cannot Be Reached Under 37 CFR §1.47(a).
3. On behalf of Sedna, I have made a further diligent effort to obtain execution of the above identified patent application (as well as corresponding foreign applications) by joint

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inventors, Nathaniel J. Thurston (hereinafter "Thurston"), and Devin F. Hosea (hereinafter "Hosea").

4. Specifically, I have taken the following actions at the following times:

*Regarding Devin Hosea*

a. **October 9-10, 2006**

I did a Google search for Devin Hosea. Search results found a company named American Biophysics (Ambio) having a new CEO Devin Hosea. The said company sells the Mosquito Magnet. ([http://news.com.com/Wi-Fi+mosquito+killer+coming+to+a+porch+near+you/2100-11395\\_3-5961535.html](http://news.com.com/Wi-Fi+mosquito+killer+coming+to+a+porch+near+you/2100-11395_3-5961535.html))

The article further listed Hosea as being the "managing director of Ritchie's Capital's Biotechnology Venture Group and former president of Internet software company Predictive Networks".

The website for Ambio listed an email address for Hosea as [dhosea@ambiocorp.com](mailto:dhosea@ambiocorp.com)

- Article attached as Exhibit 1

b. **October 10, 2006**

I sent an email to Mr. Hosea at the [ambiocorp.com](mailto:ambiocorp.com) address. I hereby note that I sent a previous email to Mr. Hosea at this address on January 26, 2006. Mr. Hosea replied to my email at 2:27 pm on October 10, 2006 from the email address [DHosea@ritchiecapital.com](mailto:DHosea@ritchiecapital.com).

Mr. Hosea asked for a retainer of at least \$5000 to pay for legal counsel. I referred the matter to our CEO Bill McCall.

- Email exchange attached as Exhibit 2

Mr. McCall offered to pay for a couple of hours of billable legal advice. Additionally, Sedna offered access to our own Legal Counsel. In response, Mr. Hosea asked Sedna for assistance in seeking recourse from Predictive for legal fees and other matters.

c. **October 25, 2006**

Again, Sedna sent an email expressing the willingness to cover "reasonable attorney's fees to review the Assignment and Declaration", but declined to get involved in any matters related to his dealings with Predictive.

Mr. Hosea replied, "Ok. Sounds fine."

d. **October 26, 2006**

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Mr. McCall asked for clarification of his response. Mr. Hosea replied, "You can forward me the papers or you can go the recalcitrant route. Do whatever is most convenient for you."

Mr. McCall asked if Mr. Hosea needed us to resend the papers we originally emailed to him on October 10, 2006.

To date, we have had no further communication from Mr. Hosea.

- **Email exchange between McCall and Hosea attached as Exhibit 3**

**e. January 4, 2007**

I sent a package via FedEx to Mr. Hosea at  
Ritchie Capital Management LLC  
747 Third Avenue  
39<sup>th</sup> Floor  
New York, NY 0017

The said package contained (1) a combined Declaration and Power of Attorney for the US application 10/552, 784, (2) An Assignment for the US application 10/552, 784 and (3) a Declaration of Inventorship for the International Application in China.

The letter was delivered on January 5, 2007 at 10:07 AM.

The letter contained the following statement:

*"No response from you in regard to this letter by January 19, 2007, will be interpreted as a clear and definite refusal to sign."*

To date, we have received no response from Mr. Hosea.

- **Cover letter and FedEx delivery receipt attached as Exhibit 4**

*Regarding Nathaniel Thurston*

**f. October 9-10, 2006**

I did an internet search for Nathaniel Thurston. Search results, including Google, Yahoo, Anywho, etc., did not uncover any new information.

**g. November 2006**

I did a search on Peoplefinders.com for Thurston. Free search results indicated that valuable information may be available.

**h. November 21, 2006,**

I purchased a complete Comprehensive Background Check for Thurston from Peoplefinders.com.

Results revealed a possible current phone number and address; a possible previous address and two known relatives Dylan Thurston and William Thurston.

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I called the listed possible current phone number. It was Kaiser Permanente in Oakland, CA. They were unaware of any employee named Nathaniel Thurston.

I called the phone number provided for Dylan Thurston. I talked to a person named "Pat" who was unfamiliar with anyone named Nathaniel Thurston.

I called the phone number provided for William Thurston. I talked to a person named Yez Nelson who was also unfamiliar with anyone named Nathaniel Thurston.

- **Background Check attached as Exhibit 5**

- i. **November 27-28, 2006**

I did an internet search for Dylan Thurston and William Thurston. I found William Thurston to be a Professor of Mathematics at Cornell University. The Cornell website provided his email address as wpt@math.cornell.edu.

- j. **November 28, 2006**

I emailed Dr. William Thurston at 10:03 AM to inquire about locating Nathaniel.

Dr. Thurston replied at 11:39 AM stating that he was forwarding to message via cc to Nathaniel who was currently residing in Iceland. Nathaniel's email address was noted as nthurston@mac.com.

- k. **November 30, 2006**

Nathaniel Thurston responded to email exchange and verified his contact information as:

Nathaniel Thurston  
Vidskipti Thorsteins ehf.  
Aegisgata 7  
101 Reykjavik  
ICELAND

I sent an email to Nathaniel asking for execution of the Assignment and Declaration documents. The documents were attached. The said email also included an offer to mail hard copies of the documents, access to our Legal Counsel, and a request that he tell us if he was unwilling to execute the documents.

- l. **December 7, 2006**

Having not heard from Nathaniel, I sent a package of the documents needing execution to Mr. Thurston via FedEx. The cover letter included in the package included the statement:

*"No response to this letter will be interpreted as a refusal to sign."*

The package was delivered on December 12, 2006 at 14:31 PM.

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**m. December 10, 2006**

Mr. Thurston replied to our email exchange and stated that in order to execute the documents he would have to first carefully review them with his lawyer. Then he stated, "I have little interest in seeing these applications completed, and lack the resources to properly complete them at present."

- Cornell webpage and email exchange (11/27/06-12/10/06) attached as **Exhibit 6**
- Cover letter and FedEx receipt attached as **Exhibit 7**

To date, we have received no further correspondence from Mr. Thurston.

5. I declare under penalty of perjury that all statements made herein of my own knowledge are true and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Dated: 1/22/07

Yvette C. Thornton  
Yvette Thornton

## EXHIBIT 1

<http://www.news.com/>

## Wi-Fi mosquito killer coming to a porch near you

By Stefanie Olsen

[http://news.com.com/Wi-Fi+mosquito+killer+coming+to+a+porch+near+you/2100-11395\\_3-5961535.html](http://news.com.com/Wi-Fi+mosquito+killer+coming+to+a+porch+near+you/2100-11395_3-5961535.html)

Story last modified Mon Nov 21 06:31:14 PST 2005

**A biotechnology company with a specialty in killing mosquitoes is turning to wireless technology and computers to make a killing for itself.**

American Biophysics, a small private company based in North Kingstown, R.I., runs a healthy business selling the "Mosquito Magnet," a system to rid American backyards of biting insects, according to its new CEO Devin Hosea.

Simply described, the magnet emits a humanlike scent that includes carbon dioxide and moisture to attract bloodsucking insects. When the bugs flutter past, they're sucked into and suffocated by a vacuumlike device.

Now AmBio, as the company is commonly called, is upping the ante with a "smart" mosquito net, or computerized defense system, to serve the corporate and public health sectors. By the first quarter of 2006, AmBio executives hope to have finalized sophisticated software to control a network of magnets—forming a kind of wide-scale fence—which will be able to communicate with a central network through wireless 802.11b technology.

**It's unbelievable the lengths people will go to, to get rid of mosquitoes.**

—Devin Hosea, AmBio CEO

That way, the system will be able to efficiently ward off bugs from golf courses and resorts, or even help mitigate cases of malaria in third world countries, according to Hosea.

"We got the idea from institutions that were jury-rigging our technology to computer networks and mesh networks, with PC panels, to see how many mosquitoes they'd caught or how much propane they had left...It's unbelievable the lengths people will go to, to get rid of mosquitoes," said Hosea, a former

National Science Foundation Fellow in artificial intelligence.

"We've meshed a great mosquito-catching machine with a computer technology on top of it, and wireless network technology on top of that, and then turned it into a great defensive shield against mosquitoes coming into your habitat," he said.

This week, AmBio received a cash infusion of \$15 million to commercialize the planned corporate product. Investors led by Chicago-based Ritchie Capital Management, an early backer of the biotech company, participated in a series B round of funding in 7-year-old AmBio. Hosea, who is managing director of Ritchie Capital's Biotechnology Venture Group and former president of Internet software company Predictive Networks, was also named AmBio's president and CEO this week.

Mosquito-catching has long been part of a thriving market for gizmos. People living in bug-bite climates like

Atlanta and Boston have relied on everything from spray repellants and rolled-up newspapers to netting barriers and devices like the bug-sucking Bugzooka.

Aside from the pest factor, mosquitoes can carry diseases like the West Nile virus in the U.S. and malaria in developing nations. Malaria is one of the largest killers outside developed countries, and as many as 90 percent of malaria victims contract the illness from infected mosquitoes.

AmBio spends about \$5 million to \$10 million annually on research for new attractants that will lure new species of biting insects into its traps, including female mosquitoes (the ones that bite), and sand flies.

Its current, odorless formula combines carbon dioxide, moisture, heat and a short-range attractant called octenol. Each magnet, powered 24 hours a day by a standard 20-pound propane tank, or a combination of propane and electricity supplied through a low-voltage (12-volt) power cord, has a 100-yard range for drawing bugs.

The main device is basically a vacuum cleaner that sucks insects in and dehydrates them until they die "a horrible death," Hosea said. "So far we don't know of any mosquito rights group, so it's totally PC to kill as many as you want." (Non-bloodsucking bugs, such as butterflies and beetles, are not attracted.)

The Mosquito Magnet currently has roughly 65 percent of the antibug market, according to the company.

The coming smart magnet system harkens back to the early days of networked PCs, Hosea said, when people came up with the idea of "LAN-tastic," for a local-area network or a ring of network connectivity.

AmBio plans to create an electronic self-diagnosing network of magnets all communicating with one another through the 802.11b wireless standard. Centralized servers in the middle of the network, or what AmBio's chief technology officer calls "brain machines," will record and analyze data transmitted from the computerized magnets on air quality, humidity, wind direction and pollutants. The data is transmitted to AmBio and its client for remote administration.

If it's raining on a magnet-wired golf course, for example, the system will shut down to save power and propane. If the wind is coming out of the north, the south line magnets will shut down and let the mosquitoes blow by.

AmBio has already set up a beta test of the system at a house in Key West, Fla., where mosquitoes thrive. "It's a phenomenally nasty place in terms of bugs," Hosea said. The house is on two acres surrounded with the magnets.

Next year, the company plans to test its system at the refugee camp Trat Camp in southeast Thailand on the border of Cambodia. The camp houses roughly 15,000 refugees, but the population drops annually by 500 to 600 people because of malaria. The project will be funded by money from the United Nations.

But will it work?

Gilbert Waldbauer, professor emeritus of entomology at the University of Illinois at Urbana-Champaign and author of "Insights From Insects: What Bad Bugs Can Teach Us," said that despite advances in bait-traps like the Mosquito Magnet, attempts to control adult mosquitoes have largely been futile.

**So far we don't know of any mosquito rights group, so it's totally PC to kill as many as you want.**

--Devin Hosea, AmBio CEO

Mosquitoes breed in stagnant water like golf-course ponds or within swampy regions. One pond can produce enough adult mosquitoes to scatter over five square miles during breeding time, Waldbauer said.

"The way to control mosquitoes is to go to these ponds and float a harmless oil," that will suffocate the larvae when they come up for air, he said. "It seems like an awful lot of trouble and expense to do otherwise."

"Think of this as a war, and the enemy has a really good cannon," Waldbauer said. "You have to attack where they're loading artillery."

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## Press Releases

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### American Biophysics Secures \$15 Million to Launch Networked Mosquito Abatement Technology

[VIEW ALL ARTICLES](#)

NORTH KINGSTOWN, R.I., Nov. 15, 2005 -- American Biophysics Corp. (AmBio), a biotechnology innovator and creator of the market-leading Mosquito Magnet® mosquito defense system, today announced the completion of a \$15 million Series B round of financing led by previous investor, Chicago-based Ritchie Capital Management, LLC. The funding will be used to initiate commercialization of AmBio's patent-pending, networked mosquito abatement system, a new category of biting insect management products targeted at commercial and institutional customers. Earlier investors also participated in the round.

AmBio also announced the appointment of Devin Hosea as president and CEO. Hosea remains managing director of Ritchie Capital's Biotechnology Venture Group, which invests in late-stage private and public life science companies and takes an active, longterm role in developing its portfolio companies into successful businesses.

According to Hosea, "I'm excited about the opportunity to accelerate revenue growth at AmBio. Through extensive scientific research and innovation, the company has already demonstrated its technical ability, as well as established a leading position of more than 65 percent share in the consumer/residential market for biting insect traps. Now, in this next exciting phase of growth, we will focus on improving customer satisfaction and retention, as well as bringing to market second-generation technology that will advance the field of mosquito control in institutional markets."

Duncan Goldie-Morrison, president of Ritchie Capital Management, said, "AmBio is a true pioneer, and we're

pleased to have the opportunity to re-invest in the company as they work to address the threat of mosquito-borne diseases and help to reduce our reliance upon public health insecticides. We see this as an enormous opportunity for success, both from a health and lifestyle perspective, particularly within the recreation and hospitality industries, which can benefit significantly from a workable solution for large- scale mosquito control."

Ambio's new products will leverage key technologies such as the company's Counterflow® carbon dioxide technology and Lurex® attractant; however, the new technology represents additional breakthroughs in research and development undertaken by the company in over a decade and a half of scientific innovation. Initial customers for the new products are expected to include golf courses, resorts, and hotels, as well as municipalities, universities and estates.

#### **About American Biophysics Corp.**

American Biophysics Corp., [www.americanbiophysicscorp.com](http://www.americanbiophysicscorp.com), headquartered in North Kingstown, R.I., is a scientific, research-based company that studies the behavior of biting insects and manufactures biting insect abatement traps for consumer, commercial and government applications. The company was first-to-market with a carbon dioxide-based biting insect abatement trap for commercial use in 1998, and continues to be the leader in biting insect abatement technology.

#### **About Ritchie Capital**

Ritchie Capital is a diversified alternative asset management firm established in 1997 with interests in private equity, venture capital, hedge funds, commodities, insurance, energy and real estate and with offices in Chicago and Geneva, Ill., New York, London, Bermuda, Hong Kong and Menlo Park, Calif.

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These search terms have been highlighted: **devin hosea**



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**Devin F. Hosea**

*President and Chief Executive Officer*

**Devin Hosea** is a managing director at Ritchie Capital Management, a multi-billion dollar multi-strategy hedge fund. In this capacity, he invests approximately \$100 million per year in venture-backed biotechnology and healthcare companies. Mr. Hosea is currently serving as president and CEO of one of these companies funded by Ritchie, American Biophysics Corporation, where he is restructuring the company and preparing it for abundant growth.

Previously, Mr. Hosea founded Predictive Networks and served as its chief executive officer where he conceived the core technology and business model for the company, and raised more than \$50 million in venture capital. He managed the company's growth for four years.

Prior to forming Predictive Networks, Mr. Hosea was a vice president at GE Capital, where he made private equity investments on behalf of GE. During his tenure at GE Capital, he also served as chairman and president of Vanguard Automation, where he directed a dramatic operational turnaround from the brink of bankruptcy to



[Duncan Goldie-Morrison](#)

[Steven D. Smith](#)

[Thomas J. Hastings](#)

[Devin F. Hosea](#)

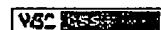
[RJ Valentine](#)

a \$67 million sale to Robotic Vision Systems (NASD: ROBV). He also revamped and sold another nearly insolvent GE portfolio company, Subscriber Computing, Inc., to Corsair Communications (NASD: CAIR) for almost \$90 million.

Before working at GE Capital, Mr. **Hosea** was a National Science Foundation Fellow in Artificial Intelligence and worked at the New York money-management firm of Sanford C. Bernstein (now Alliance Capital) as a buy-side research analyst in small-cap equities.

Mr. **Hosea** currently serves on the Board of Directors of Symphony Neuro-Development Corporation, Serenex Corporation, and the CyberLaw Group, L.L.C. He is also a member of the Alumni Council of Princeton University. Mr. **Hosea** graduated from Princeton University in 1991 with an AB in Philosophy.

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## EXHIBIT 2

**Yvette Thornton**

---

**From:** Yvette Thornton  
**Sent:** Tuesday, October 10, 2006 2:44 PM  
**To:** 'Hosea, Devin'  
**Cc:** Bill McCall  
**Subject:** RE: Predictive Media Patents

Mr. Hosea,

Thank you so much for responding.

Our CEO Bill McCall remembers you from his days at TVGateway and yours at Predictive Media. He would like to speak with you in further detail about this matter. If you are interested in talking with him, please provide the best contact number where you can be reached.

If you prefer not to reveal such personal information, let's set up a time when you can call him.

Again, thank you so much for your response and cooperation in this matter.

Yvette

---

**Yvette Thornton**

Patent Agent

Sedna Services  
1500 Market Street  
27th Floor-West Tower  
Philadelphia PA 19102  
(267)-765-7100 (main)  
(267)-765-7128 (direct)  
[www.sedna.com](http://www.sedna.com)

---

**From:** Hosea, Devin [mailto:[DHosea@ritchiecapital.com](mailto:DHosea@ritchiecapital.com)]

**Sent:** Tuesday, October 10, 2006 2:27 PM

**To:** Yvette Thornton

**Subject:** RE: Predictive Media Patents

Yvette,

I would be happy to help you, but I need two things first:

- (1) Legal advice – I need you to pay my counsel (Todd & Weld in Boston) to review everything you want me to sign. You will need to send them a retainer of at least \$5,000; they can review it, and if they say that it is OK to sign, I will sign it. *I never sign anything without its being reviewed by counsel.* I'm sorry, but that is a personal policy that I never break.
- (2) I believe that Predictive Networks has commitments to me that it is not honoring. While it is in breach, I am certainly not obligated to fulfill any commitment to them. Furthermore, if you believe I have a "commitment" to Predictive to sign these documents, please show me the contract in which this commitment is memorialized.

I could be persuaded to overlook (2) if you provide me with legal advice requested in (1). I am not refusing to sign these documents; rather, I take it quite seriously and I want to have my own attorney review it before I sign it. Since the economic value of these patents accrue to you, not to me, it is your responsibility to pay for

the (nominal) cost of standard legal review. I am trying to be as helpful as possible in this situation.

I presume that my signature is not trivial – I am representing quite a bit with that signature – that the ideas are original, that I developed them without using others' work – and who knows what else. I need my lawyers to help me understand exactly what it is I am signing, and what, if any, liability I am undertaking by signing.

If you must, go ahead and petition the USPTO. I think it would be cheaper and faster to simply cover the legal cost of having these documents reviewed by my counsel.

Thank you,

Devin

Devin F. Hosea  
Managing Director  
Ritchie Capital Management, LLC  
747 Third Avenue, 39<sup>th</sup> Floor  
New York, NY 10017

---

**From:** Yvette Thornton [mailto:[yvette.thornton@sedna.com](mailto:yvette.thornton@sedna.com)]  
**Sent:** Tuesday, October 10, 2006 1:21 PM  
**To:** [dhosea@ambiocorp.com](mailto:dhosea@ambiocorp.com)  
**Subject:** Predictive Media Patents

Dear Mr. Hosea,

Once again, I am requesting a respond to my email of January 26, 2006. We are under a time restriction and would appreciate confirmation of contact information.

For the sake of clarity, let me summarize who we are and why we are contacting you:

**(1) Who is Sedna Services?**

Sedna Services ([www.sedna.com](http://www.sedna.com)) is an MSO-owned company that provides research, analysis and intellectual property management for its owner companies, Comcast, Cox and Charter. The company was founded in 2000 as TVGateway LLC, a consortium of leading cable MSOs set up to develop a server based electronic program guide (EPG). The intention was to drive innovation in the user interface for cable services.

More recently, the consortium has turned Sedna Services' resources toward intellectual property (IP) in areas of interest to the cable business. Sedna buys IP, writes new patent applications, manages the resulting portfolio, conducts research projects related to cable technologies and to emerging technologies of interest to the cable industry, and supports its owner companies on all matters related to IP.

**(2) Why are we contacting you?**

Sedna has acquired a portfolio of patents and patent applications from Predictive Media Corporation, formerly known as Predictive Networks, Inc. We have a duty to our shareholders to prosecute the Predictive patent applications, and the legal right to do so. Specifically, we are prosecuting US Application 10/552784 which extends from the international application PCT/US2004/010311 and the provisional application 60/459933, both of which name you as an inventor.

We need you to execute (1) a combined declaration and power of attorney and (2) an assignment for application for patent. The first document is an acknowledgement of the pending application and its history, and grants power of attorney to us and to our external attorneys to prosecute. The second document is an assignment which turns over all rights to Sedna Services. We would like you to sign both documents for simplification of the patent process in the United States.

We would like to work with you, and we sincerely hope you feel the same. However, we must note that you have already signed an assignment over to Predictive Media for the provisional application and for the international application. Therefore, if you refuse to sign documents (1) and (2), we can and will pursue prosecution at the PTO, but without your consent. Frankly, we'd rather not do that, but we must rely upon the option as our last resort.

(4) What is the benefit to you?

The benefit to you would be to have a patent in your name. This process requires very little investment of time by you on the one hand, and on the other hand, it fulfills your final commitment to Predictive. We would prefer to work with you, if that is possible.

**Again, absent a response to this email, we will petition the USPTO under the Code of Federal Regulation (CFR) 1.47, to accept the application without your signatures as you are REFUSING to sign.**

We look forward to hearing from you, and thank you in advance for your cooperation.

Any response would be appreciated.

Regards,

Yvette Thornton

---

**Yvette Thornton**

Patent Agent

Sedna Services  
1500 Market Street  
27th Floor-West Tower  
Philadelphia PA 19102  
(267)-765-7100 (main)  
(267)-765-7128 (direct)  
[www.sedna.com](http://www.sedna.com)

**Yvette Thornton**

---

**From:** Hosea, Devin [DHosea@ritchiecapital.com]  
**Sent:** Tuesday, October 10, 2006 2:14 PM  
**Subject:** Read: Predictive Media Patents

Your message

To: DHosea@ritchiecapital.com  
Subject:

was read on 10/10/2006 2:14 PM.

**Bill McCall**

**From:** Bill McCall  
**Sent:** Thursday, October 26, 2006 8:04 AM  
**To:** Hosea, Devin; Bill McCall  
**Cc:** Larry Goldstein  
**Subject:** RE: Predictive & Hosea

EXHIBIT 3

RECEIVED  
CENTRAL FAX CENTER

JAN 22 2007

We have already sent you the papers. Do you need us to resend them?

This email has been sent with the Treo 700w

-----Original Message-----

From: "Hosea, Devin" <DHosea@ritchiecapital.com>  
To: "bill.mccall@sedna.com" <bill.mccall@sedna.com>  
Cc: "larry.goldstein@sedna.com" <larry.goldstein@sedna.com>  
Sent: 10/26/06 7:33 AM  
Subject: Re: Predictive & Hosea

You can forward me the papers or you can go the recalitran route. Do whatever is most convenient for you.

Best regards,

Devin

-----  
Global Cellphone: 617 650 3696  
Direct Dial (All Offices): 617 314 9354

-----Original Message-----

From: Bill McCall <bill.mccall@sedna.com>  
To: Hosea, Devin; bill.mccall@sedna.com <bill.mccall@sedna.com>  
Cc: larry.goldstein@sedna.com <larry.goldstein@sedna.com>  
Sent: Thu Oct 26 06:25:42 2006  
Subject: RE: Predictive & Hosea

I'm not sure I understand . . . Does this mean you intend to honor your commitment, or that you want us to have you designated recalitran?

This email has been sent with the Treo 700w

-----Original Message-----

From: "Hosea, Devin" <DHosea@ritchiecapital.com>  
To: "bill.mccall@sedna.com" <bill.mccall@sedna.com>  
Cc: "larry.goldstein@sedna.com" <larry.goldstein@sedna.com>  
Sent: 10/25/06 7:09 PM  
Subject: Re: Predictive & Hosea

Ok. Sounds fine.

-----  
Global Cellphone: 617 650 3696  
Direct Dial (All Offices): 617 314 9354

-----Original Message-----

From: Bill McCall <bill.mccall@sedna.com>  
To: Hosea, Devin  
CC: Larry Goldstein <larry.goldstein@sedna.com>  
Sent: Wed Oct 25 15:46:17 2006  
Subject: RE: Predictive & Hosea

Devin:

I called you on 10/12/06 at the number below . . . but I haven't heard back. So I'm writing again to express that Sedna will cover reasonable attorney's fees to review the Assignment & Declaration for you, but we have nothing to do with the Predictive investors, or any struggles you are having with them, and I have no ability to influence them.

If you continue to delay signing the documents, we will have no alternative but to have you declared a "recalcitrant inventor" at the PTO, so that the assignment can be completed without your cooperation. I don't know what the effect would be for you, but it might be better for all of us for you to get the documents reviewed at a reasonable cost to Sedna and sign them, so that we can resolve this issue amicably.

- Bill

---

From: Hosea, Devin [mailto:DHosea@ritchiecapital.com]  
Sent: Tuesday, October 10, 2006 6:01 PM  
To: Bill McCall  
Cc: Larry Goldstein  
Subject: RE: Predictive & Hosea

Bill,

Predictive was sued in 2002 by some crazies who claimed we stole their business plan in 1999 (the case is quite hilarious, given that we made no money for our investors, but anyway...). I, along with other officers, directors, and investors, were named as is usually the case in these sort of lawsuits. From 2002 until 2004, Predictive paid my legal bills, as they are required to do under (1) Delaware law and (2) a general indemnification agreement they had with me and other board members and (3) a specific indemnification agreement with regard to this case that I asked for when I "retired" in 2002 to go back to work in finance.

Sometime in 2005, Predictive simply STOPPED paying my legal bills. They stranded me, and I have now spent over \$50k in legal fees. Worse, I am prohibited from suing them for it until after this nauseating case is over because that would make us "adverse parties" and we would be unable to share counsel, which would put me in an even more awkward situation.

Is there any way you could help me get Predictive to pay? They have the money, but the woman they put in charge of winding down the company simply decided to stiff me when she realized that I basically had no recourse.

That's why I'm not in the mood to do anything that helps Predictive right now. They have plenty of money; my sources tell me at least \$1m. They aren't even claiming that they don't have the money. They simply say "we're not paying and there's nothing you can do". And they're right, at least for now.

Any ideas?

Thanks,

Devin

---

UNIVERSAL NUMBER: 1-800-91-DEVIN

---

---

From: Bill McCall [mailto:[bill.mccall@sedna.com](mailto:bill.mccall@sedna.com)]  
Sent: Tuesday, October 10, 2006 5:46 PM  
To: Hosea, Devin  
Cc: Larry Goldstein; Yvette Thornton  
Subject: FW:

Devin:

My memory is also cloudy after all the time that's passed, I have a vague memory of a meeting you with Hal Krisburgh at the NCTA's national show . . . must have been 2002. At any rate, I do remember you as a bright and capable guy.

I understand and respect your scruple against signing legal documents without a legal review . . . and wouldn't want you to do so, if it makes you uncomfortable, in this case. I have attached the documents. I hope you'll agree that they're very straightforward. If you want your lawyer to look at the Declaration and the Assignment it should be billable at no more than a couple of hours . . . if that . . . and Sedna would pick up the cost. If you want to talk to an IP attorney for free, I offer you access the Sedna's own Larry Goldstein (267/765-7146 - [larry.goldstein@sedna.com](mailto:larry.goldstein@sedna.com)), who has forgotten more about patent law and the obligations of inventors than most of us will ever know.

Please let me know if there is anything further I can do to move this forward gracefully. I know it's a pain in the neck . . . but what can you do?

- Bill

---

From: Yvette Thornton  
Sent: Tuesday, October 10, 2006 3:29 PM  
To: Bill McCall  
Subject:

Attached are the Declaration and assignment documents we need him to sign for the US pending case. Also attached are a copy of the filed US case and a copy of his employment agreement to Predictive.

y.

---

Yvette Thornton

Patent Agent

Sedna Services

1500 Market Street

27th Floor-West Tower

Philadelphia PA 19102

(267)-765-7100 (main)

(267)-765-7128 (direct)

[www.sedna.com](http://www.sedna.com)



Sedna Services  
1500 Market Street  
27th Floor, West Tower  
Philadelphia, PA 19102  
p (267) 765-7100  
f (267) 765-7180  
[www.sedna.com](http://www.sedna.com)

January 4, 2007

Devin Hosea  
Managing Director  
Ritchie Capital Management, LLC  
747 Third Avenue, 39<sup>th</sup> Floor  
New York, NY 10017

Dear Dr. Hosea,

As discussed in our previous emails, we are prosecuting an international PCT application, which has a Chinese and a U.S. extension. The PCT application was filed incorrectly. To correct the error in the U.S. and China, we would like you to sign the following documents:

- (1) A combined Declaration and Power of Attorney for the U.S. Patent Application 10/552,784, which is an extension of International Application PCT/US2004/010311
- (2) An Assignment for U.S. Patent Application 10/552,784, which is an extension of International Application PCT/US2004/010311
- (3) A Declaration of Inventorship for the International Application Number PCT/US2004/010311 in China

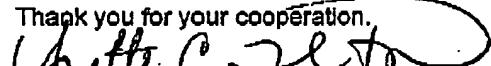
I have attached a copy of each one of the said documents along with a copy of the filed U.S. application. Please add your current residence address, execute the said documents, and mail us the originals. I have also enclosed a return postage paid envelope.

The referenced International Application has been published as WO2004091187. You can view the published document on the internet at <http://gb.espacenet.com> by entering the document number under "Number Search" on the left side of the screen.

If you have any questions, feel free to contact us via email or telephone. Also, our General Counsel, Larry Goldstein, would gladly explain these legal documents to you if you have questions or need further clarification.

**No response from you in regard to this letter by January 19, 2007, will be interpreted as a clear and definite refusal to sign.**

Thank you for your cooperation.

  
Yvette Thornton  
Patent Agent  
[Yvette.Thornton@sedna.com](mailto:Yvette.Thornton@sedna.com)

**Yvette Thornton**

**From:** Heather Wronoski  
**Sent:** Friday, January 05, 2007 10:13 AM  
**To:** Yvette Thornton  
**Subject:** FW: FedEx Shipment 799064177385 Delivered

---

**From:** TrackingUpdates@fedex.com [mailto:TrackingUpdates@fedex.com]  
**Sent:** Friday, January 05, 2007 10:13 AM  
**To:** Heather Wronoski  
**Subject:** FedEx Shipment 799064177385 Delivered

---

This tracking update has been requested by:

Company Name: Sedna Services, LLC  
Name: Heather Wronoski  
E-mail: heather.wronoski@sedna.com

---

Our records indicate that the following shipment has been delivered:

Tracking number:	799064177385
Ship (P/U) date:	Jan 4, 2007
Delivery date:	Jan 5, 2007 10:07 AM
Sign for by:	E.WALLACE
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.5 LB

Shipper Information	Recipient Information
Heather Wronoski	Devin Hosea
Sedna Services, LLC	Ritchie Capital management, LLC
1500 Market St	747 Third Avenue
27th Fl - West Tower	39th Floor
Philadelphia	New York
PA	NY
US	US
19102	100017

Special handling/Services:  
Deliver Weekday

Please do NOT respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 9:09 AM CST on 01/05/2007.

To learn more about FedEx Express, please visit our website at [fedex.com](http://fedex.com).

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at [fedex.com](http://fedex.com).

Jan-22-2007 05:04pm From-Moser, Patterson & Sheridan, LLP - NJ +17325309808

T-665 P.028/044 F-787

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to [fedex.com](http://fedex.com).

Thank you for your business.

## EXHIBIT 5



[SEARCH](#) [HELP](#) [YOUR ORDERS](#) [LOGOUT](#)

Welcome: Yvette Thornton  
Membership: No Membership

You are currently: **LOGGED IN**  
[CLICK HERE TO PURCHASE A MEMBERSHIP!](#)

[Search Again >>](#)

### Comprehensive Background Check

Subject Name: THURSTON, NATHANIEL J  
Date: 11/21/2006 12:53:26 PM

#### Name and Address Reported Information for THURSTON, NATHANIEL J

Name(s):	THURSTON, NATHANIEL J
AKAs:	
Possible Current Phone:	→ (510) 547-3470
Possible Current Address:	106 Fitzrandolph Rd R, Princeton NJ 08540 (1X)
Possible Previous Address:	585 Alcatraz Ave, Oakland CA 94609 (1X) >
Date of Birth:	05/10/1969, 37 years old

#### Possible Relatives for THURSTON, NATHANIEL J

Relatives:	THURSTON, DYLAN P (THURSTON, DYLAN, P) Phone: (510) 845-1399 Date of Birth: 04/29/1972	2420 Ridge Rd Berkeley CA 94709 2608 Webster St Berkeley CA 94705 945 Memorial Cambridge MA 02138 90 PO Box Cambridge MA 02140 1300 2nd St Minneapolis MN 55454 529 Cornell Ave Albany CA 94706 64 Beacon Somerville MA 02143 90 PO Box Cambridge MA 02138 (106 Fitzrandolph Rd Princeton NJ 08540
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*Called  
D 11/21/06 - 4:07 pm  
Kaiser Permanente Oakland.  
510-547-3470*

*② 11/21/06 4:08  
510-845-1399  
wrong #  
"Pat"*

THURSTON, WILLIAM P (THURSTON, WILLIAM, P) Phone: 486-8210 Date of Birth: 10/30/1946	① (106 Fitzrandolph Rd Princeton NJ 08540 2716 Corona Dr Davis CA 95616 2608 Webster St Berkeley CA 94705 2761 Ganges Pl Davis CA 95616 1685 San Lorenzo Ave Berkeley CA 94707 1803 Carleton St Berkeley CA 94703 32 Western Way Princeton NJ 08540
---	--

*③ 11/21/06 4:09  
510-486-8210  
yes Nelson  
wrong #*

Possible Associates of THURSTON, NATHANIEL J

No Information on File

**Details for 106 Fitzrandolph Rd R, Princeton NJ 08540****Listed Phone Numbers for 106 Fitzrandolph Rd R, Princeton NJ 08540**

SHAVER, GLENN R	(973) 483-1692	As Of 02/25/2004
SHAVER, GLENN R	(973) 483-1693	As Of 02/25/2004
CHRISTENSEN, THOMAS J	(609) 924-8628	As Of 10/31/2003
EDWARDS, BARBARA R	964-4301	As Of 10/15/2005
EDWARDS, BARBARA R	(609) 924-8628	As Of 07/01/2005
CHRISTENSEN, THOMAS J	(609) 924-8628	As Of 07/01/2005
CHRISTENSEN, THOMAS J	(609) 924-8628	As Of 03/01/2005
FINDLEY, RACHEL ANN	(510) 848-5696	As Of 01/01/2004
GARRETT, DIANA	(609) 252-9752	As Of 02/01/2001
KENEN, JUDITH REBECCA	(609) 924-8178	As Of 02/01/2001
VIK, GUSTAV M	(609) 497-9722	As Of 11/13/2000
FLEISCHER, MARY C	(609) 252-0546	As Of 05/01/1999
FLEISCHER, MARY C	252-0546	As Of 09/01/1996
VIK, GUSTAV M	(609) 497-9722	As Of 07/01/1996
FINDLEY, R A	(609) 683-0543	As Of 09/01/1993

**Property Ownership for 106 Fitzrandolph Rd R, Princeton NJ 08540**

Primary Owner:	CHRISTENSEN THOMAS
Secondary Owner:	EDWARDS BARBARA
Site Address:	106 FITZRANDOLPH RD PRINCETON NJ 08540
Owner Address:	106 FITZRANDOLPH RD PRINCETON NJ 08540
Phone Number:	(609) 924-8628
APN:	000540002000280000
Assessed Value	\$983,378.00

**Neighbors for 106 Fitzrandolph Rd R, Princeton NJ 08540**

Neighbors:	RAMSEY, PAUL	111 Fitzrandolph Rd Princeton NJ 08540 924-1751
	FISCH, TOBE M	105 Fitzrandolph Rd Princeton NJ 08540 (609) 924-5384
	FREDE, DOROTHEA A	105 Fitzrandolph Rd Princeton NJ 08540 (609) 497-7327
	GLIMCHER, ALEXANDER	105 Fitzrandolph Rd Princeton NJ 08540 (609) 921-9307
	SUSAN, GLIMCHER	105 Fitzrandolph Rd Princeton NJ 08540 (609) 921-0336
	DANSPECKGRUBER, A G	105 Fitzrandolph Rd Princeton NJ 08540 (609) 497-3927
	GLIMCHER, NEHEMAS	105 Fitzrandolph Rd Princeton NJ 08540 735-0338
	DANSPECKGRUBER, WOLFGANG F	105 Fitzrandolph Rd Princeton NJ 08540 (609) 497-3927
	FREDE, MICHAEL J	105 Fitzrandolph Rd Princeton NJ 08540

OSTRIKER, JEREMIAH P	(609) 921-1397 105 Fitzrandolph Rd Princeton NJ 08540 (609) 924-5737
FISCH, NATHANIEL J	105 Fitzrandolph Rd Princeton NJ 08540 (609) 924-5384
FISCH, NATHANIEL J	105 Fitzrandolph Rd Princeton NJ 08540 (609) 924-5384
BERNEY, MADEA LYNN	105 Fitzrandolph Rd Princeton NJ 08540 235-0827
FREDE, GABRIELE	105 Fitzrandolph Rd Princeton NJ 08540 (609) 921-1397
SMITH, BENNIE	105 Fitzrandolph Rd Princeton NJ 08540

**Current and Previous Occupants for 106 Fitzrandolph Rd R, Princeton NJ 08540**

Occupants:	
EDWARDS, BARBARA R	106 Fitzrandolph Rd Princeton NJ 08540 964-4301
CHRISTENSEN, THOMAS J	106 Fitzrandolph Rd Princeton NJ 08540 (609) 924-8628
EDWARDS, BARBARA R	106 Fitzrandolph Rd Princeton NJ 08540 (609) 924-8628
CHRISTENSEN, THOMAS J	106 Fitzrandolph Rd Princeton NJ 08540 (609) 924-8628
SHAFER, GLENN R	106 Fitzrandolph Rd Princeton NJ 08540 (973) 483-1692
FINDLEY, RACHEL ANN	106 Fitzrandolph Rd Princeton NJ 08540 (510) 848-5696
GRAYSON, MATTHEW	106 Fitzrandolph Rd Princeton NJ 08540
PAINTER, SHAFER NELL	106 Fitzrandolph Rd Princeton NJ 08540
PAINTER, SHAFER NELL	106 Fitzrandolph Rd Princeton NJ 08540
SHAFER, PAINTER NELL I	106 Fitzrandolph Rd Princeton NJ 08540
KENEN, JUDITH REBECCA	106 Fitzrandolph Rd Princeton NJ 08540 (609) 924-8178
SHAFER, R	106 Fitzrandolph Rd Princeton NJ 08540
GARRETT, DIANA	106 Fitzrandolph Rd Princeton NJ 08540 (609) 252-9752
VIK, GUSTAV M	106 Fitzrandolph Rd Princeton NJ 08540 (609) 497-9722
FLEISCHER, MARY C	106 Fitzrandolph Rd Princeton NJ 08540 (609) 252-0546

**Storage Facilities in the vicinity of 106 Fitzrandolph Rd R, Princeton NJ 08540**

Storage Facilities:	
A 1 Self Storage	501 Cheesquake Rd Princeton NJ 08540 (732) 525-0700
A 1 Your Space Place	501 Cheesquake Rd Princeton NJ 08540

(732) 525-0700

## Admiral Storage Warehous

Princeton NJ 08540  
(609) 921-2260

## Mail Drops in the vicinity of 106 Fitzrandolph Rd R, Princeton NJ 08540

Mail Drops:	US POST OFFICE	213 CARNegie CTR PRINCETON NJ 08540
	MAIL BOXES ETC	301 N HARRISON ST PRINCETON NJ 08540
	US POSTAL SVC REMOTE ENCODING	707 ALEXANDER RD PRINCETON NJ 08540

## Schools in the vicinity of 106 Fitzrandolph Rd R, Princeton NJ 08540

Schools:	COMMUNITY PARK E.S.	372 WITHERSPOON STREET PRINCETON NJ 08540
	JOHN WITHERSPOON M.S.	217 WALNUT LANE PRINCETON NJ 08540
	JOHNSON PARK SCHOOL	285 ROSEDALE ROAD PRINCETON NJ 08540
	LITTLEBROOK E.S.	39 MAGNOLIA LANE PRINCETON NJ 08540
	PRINCETON H.S.	151 MOORE STREET PRINCETON NJ 08540

## Banks in the vicinity of 106 Fitzrandolph Rd R, Princeton NJ 08540

Banks:	NASSAU	C/O ETS PRINCETON NJ 08540 (609) 734-1299
	PRINCETON UNIVERSITY	WASHINGTON ROAD-ARMORY BLDG PRINCETON NJ 08540 (609) 258-5038
	First Union National Bank	194 NASSAU STREET PRINCETON NJ 08540
	PNC Bank, National Association	500 COLLEGE ROAD EAST PLAINSBORO NJ 08540
	PNC Bank, National Association	842 STATE ROAD PRINCETON TOWNSHIP NJ 08540

## Details for 585 Alcatraz Ave, Oakland CA 94609

## Listed Phone Numbers for 585 Alcatraz Ave, Oakland CA 94609

NICHOLSON, JEFFREY A	(510) 655-2595	As Of 01/01/2005
BROWN, CARA LEIGH	752-0640	As Of 07/18/2001
DEHLINGER, MAIA	(510) 658-9553	As Of 06/01/2001
NICHOLSON, RICHARD D	(510) 654-2119	As Of 08/01/1998
BROWN, PAUL ROBERT	(510) 655-8523	As Of 04/01/1998
BROWN, PAUL ROBERT	227-7504	As Of 01/01/1998
MELENDEZ, REBECCA E	(949) 470-0843	As Of 01/01/1998
MELENDEZ, RICARDO R	(323) 298-7018	As Of 12/01/1993
PARETTY, RICKY M	843-5867	As Of 08/01/1993
MUELLER, HEIKE K	823-4037	As Of 03/01/1993
KAHN, JEREMY A	(412) 778-4132	As Of 12/01/1992

## Neighbors for 585 Alcatraz Ave, Oakland CA 94609

Neighbors:	BREEDY, STEFANIE LYNETTE	505 Alcatraz Ave Oakland CA 94609 (510) 933-3519
	RATZKI, MARIO FRANCESCO	505 Alcatraz Ave Oakland CA 94609

RIGGINS, AMY JANE	(617) 227-3592 505 Alcatraz Ave Oakland CA 94609 (281) 801-8687
WHITFIELD, SUSAN L	505 Alcatraz Ave Oakland CA 94609 (650) 474-0431
IBRAHIM, SJAHRAN I	505 Alcatraz Ave Oakland CA 94609 (510) 420-1885
BANNISTER, TERZA A	505 Alcatraz Ave Oakland CA 94609 994-0426
GRUENEWALD, PETER L	505 Alcatraz Ave Oakland CA 94609 (510) 547-7438
CULP, SANDRA LYNN	505 Alcatraz Ave Oakland CA 94609 (510) 595-0966
MASTERSON, PATRICK DRUEY	505 Alcatraz Ave Oakland CA 94609 (202) 544-6363
SHEFFNER, BENJAMIN S	505 Alcatraz Ave Oakland CA 94609 (310) 247-8473
WELLS, ROBERT HAYNES	505 Alcatraz Ave Oakland CA 94609 (925) 935-5737
ORTEGA, FELICITAS V	505 Alcatraz Ave Oakland CA 94609
PALMER, ERIN	505 Alcatraz Ave Oakland CA 94609
PALMER, EUGENE CUTLER	505 Alcatraz Ave Oakland CA 94609 (415) 459-4910
PROHL, TOM	505 Alcatraz Ave Oakland CA 94609

## Current and Previous Occupants for 585 Alcatraz Ave, Oakland CA 94609

Occupants:	585 Alcatraz Ave Oakland CA 94609 (510) 655-2595
NICHOLSON, JEFFREY A	585 Alcatraz Ave Oakland CA 94609 (510) 655-2595
CONLON, LYNNE	585 Alcatraz Ave Oakland CA 94609
BROWN, CARA LEIGH	585 Alcatraz Ave Oakland CA 94609 752-0640
DEHLINGER, MAIA	585 Alcatraz Ave Oakland CA 94609 (510) 658-9553
NICHOLSON, RICHARD D	585 Alcatraz Ave Oakland CA 94609 (510) 654-2119
BROWN, PAUL ROBERT	585 Alcatraz Ave Oakland CA 94609 (510) 655-8523
MELENDEZ, REBECCA E	585 Alcatraz Ave Oakland CA 94609 (949) 470-0843
BROWN, PAUL ROBERT	585 Alcatraz Ave Oakland CA 94609 227-7504
JAFFE, HEATHER R	585 Alcatraz Ave Oakland CA 94609
BROWN, JAMES P	585 Alcatraz Ave Oakland CA 94609
PARETTY, RICKEY M	585 Alcatraz Ave Oakland CA 94609

MELENDEZ, RICARDO R	585 Alcatraz Ave Oakland CA 94609 (323) 298-7018
PARETTY, RICKEY M	585 Alcatraz Ave Oakland CA 94609 843-5867
MUELLER, HEIKE K	585 Alcatraz Ave Oakland CA 94609 823-4037
KAHN, JEREMY A	585 Alcatraz Ave Oakland CA 94609 (412) 778-4132

**Storage Facilities in the vicinity of 585 Alcatraz Ave, Oakland CA 94609**

Storage Facilities:	U C Mini Storage	4601 Shattuck Ave Oakland CA 94609 (510) 652-4111
---------------------	------------------	---

**Mail Drops in the vicinity of 585 Alcatraz Ave, Oakland CA 94609**

Mail Drops:	US POST OFFICE	4869 TELEGRAPH AVE OAKLAND CA 94609
-------------	----------------	--

**Schools in the vicinity of 585 Alcatraz Ave, Oakland CA 94609**

Schools:	FRAGO SCHOOL	514 41ST ST OAKLAND CA 94609 (510) 428-9023
	PARK DAY SCHOOL	370 43RD STREET OAKLAND CA 94609 (510) 653-0317
	ST AUGUSTINE SCHOOL	410 ALCATRAZ AVE OAKLAND CA 94609 (510) 652-6727
	CARTER MIDDLE	4521 WEBSTER ST. OAKLAND CA 94609
	EMERSON ELEMENTARY	4803 LAWTON AVE. OAKLAND CA 94609

**Banks in the vicinity of 585 Alcatraz Ave, Oakland CA 94609**

Banks:	Asiana Bank	5132 TELEGRAPH AVENUE OAKLAND CA 94609
	California Bank & Trust	4937 TELEGRAPH AVENUE OAKLAND CA 94609
	Sanwa Bank California	4900 TELEGRAPH AVENUE OAKLAND CA 94609

---

**The following databases were searched but no records were found.**

---

akas	*** No Record Found ***
Real Property Ownership by Name and State	*** No Record Found ***
Bankruptcies, Tax Liens & Judgments	*** No Record Found ***
Marriage by Name and State (CA, CO, CT, FL, IA, IL, KY, ME, MN, NV, OH, TX, UT)	*** No Record Found ***
Divorce by Name and State (CO, FL, MN, NV, TX)	*** No Record Found ***
DEA Registrants by Name	*** No Record Found ***
FAA Aircraft by Name	*** No Record Found ***
FAA Airmen by Name	*** No Record Found ***
Coast Guard Merchant Vessels by Name	*** No Record Found ***
Internet Domains owned by THURSTON, NATHANIEL J	*** No Record Found ***
Death by Name and State	*** No Record Found ***

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# CORNELL UNIVERSITY — Department of Mathematics

310 Malott Hall • Cornell University • Ithaca, NY 14853-4201 USA

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- [Positions Available](#)
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π

## William Thurston Professor of Mathematics



### Web Site

N/A

### Contact Information

**Office:** 533 Malott Hall  
**Phone:** (607) 255-2334  
**Fax:** (607) 255-7149  
**Email:** [wpt@math.cornell.edu](mailto:wpt@math.cornell.edu)



### Education

Ph.D. (1972) University of California at Berkeley

### Research Area: *Topology*

Bill Thurston is a topologist, though his work impinges on many other areas of mathematics. He has discovered unexpected links between topology, hyperbolic geometry, and complex analysis.

Highlights of his career include his classification of foliations of codimension greater than one, his classification of surface automorphisms, his hyperbolization theorem in three-dimensional topology, and the theories of automatic groups and confoliations. Thurston has also made fundamental contributions to the theory of symplectic and contact manifolds, dynamics of surface diffeomorphisms, and the combinatorics of rational maps.

His current research includes random 3-manifolds and relations of knot theory to computational complexity. His main interest remains his geometrization conjecture, a far-reaching proposed generalization of his hyperbolization theorem.

### Selected Publications

*Three-dimensional manifolds, Kleinian groups and hyperbolic geometry*, Bull. Amer. Math. Soc. (N.S.) 6 (1982), 357–381.

*Hyperbolic structures on 3-manifolds, I. Deformation of acylindrical manifolds*, Ann. of Math. 124 (1986), 203–246.

**Yvette Thornton**

**From:** Nathaniel Thurston [nthurston@mac.com]  
**Sent:** Sunday, December 10, 2006 5:16 AM  
**To:** Yvette Thornton  
**Subject:** Re: Contact Information-Nathaniel Thurston  
**Follow Up Flag:** Follow up  
**Flag Status:** Yellow

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CENTRAL FAX CENTER  
JAN 22 2007

Yvette:

To sign these documents, I would need to first carefully review them with my lawyer. I have little interest in seeing these applications completed, and lack the resources to properly complete them at present.

Regards,  
Nathaniel

On 30 Nov 2006, at 17:18, Yvette Thornton wrote:

Dr. Thurston,

Thank you so much for responding. As I mentioned in my email to Dr. William Thurston, we have been trying to locate you for over a year now.

In addition to the two patent applications that I cited in my previous email, we are also prosecuting an International PCT application, which has a Chinese and a U.S. extension. The PCT application was filed incorrectly. To correct the error in the U.S. and China, we would like you to sign the following documents:

- (1) A combined Declaration and Power of Attorney for the U.S. Patent Application 10/552,784, which is an extension of International Application PCT/US2004/010311
- (2) An Assignment for U.S. Patent Application 10/552,784, which is an extension of International Application PCT/US2004/010311
- (3) A Declaration of Inventorship for the International Application Number PCT/US2004/010311 in China

I have attached a copy of each one of the said documents along with a copy of the filed U.S. application. Please execute the said documents and mail us the originals.

The referenced International Application has been published as WO2004091187. You can view the published document on the internet at <http://gb.espacenet.com> by entering the document number

under "Number Search" on the left side of the screen.

If you have any questions, feel free to contact us via email or telephone. If you prefer, we could FedEx hard copies of the documents along with a return postage paid envelope. Also, our General Counsel, Larry Goldstein, would gladly explain these legal documents to you if you have questions or need further clarification.

If you are unwilling to assist us in this matter, we would appreciate that you communicate that to us so that we can pursue other means of prosecuting these applications.

Thank you so much for your time and cooperation,

Yvette

---

**Yvette Thornton**

Patent Agent

Sedna Services

1500 Market Street

27th Floor-West Tower

Philadelphia PA 19102

(267)-765-7100 (main)

(267)-765-7128 (direct)

[www.sedna.com](http://www.sedna.com)

**From:** Nathaniel Thurston [<mailto:nthurston@mac.com>]  
**Sent:** Thursday, November 30, 2006 8:03 AM  
**To:** Bill Thurston  
**Cc:** Yvette Thornton  
**Subject:** Re: Contact Information-Nathaniel Thurston

Yvette:

Email: [nthurston@mac.com](mailto:nthurston@mac.com)

Tel: +354 534 5943, between 07:00 and 16:00 GMT.

post:

Nathaniel Thurston

Vidskipti Thorsteins ehf.

Aegisgata 7

101 Reykjavik

ICELAND

On 28 Nov 2006, at 16:39, Bill Thurston wrote:

Dear Yvette Thornton,

I'm forwarding your message to Nathaniel, who is in Iceland now, so he can give you the appropriate information.

Bill Thurston

On Nov 28, 2006, at 10:03 AM, Yvette Thornton wrote:

Dr. Thurston,

My name is Yvette Thornton and I am the patent agent for Sedna Services in Philadelphia, Pa. Sedna is an intellectual property management firm which acquired several patents from Predictive Media. We are trying to locate Nathaniel Thurston. We currently own and are prosecuting several patent applications from Predictive Media, both foreign and domestic, which list him as an inventor. We are trying to obtain current contact information for Nathaniel. Two such applications which have issued into valid US patents include US 7,027,882 and US 6,925,610. You can review these patents by visiting the United States Patent office at [www.uspto.gov](http://www.uspto.gov).

If you could provide any information about Nathaniel, I would greatly appreciate it. If you are unwilling to provide us his information, please forward my contact information to him and ask him to be in touch ASAP.

We appreciate your cooperation in this matter.

We are looking forward to hearing from you soon.

Best regards,

**Yvette Thornton**

---

**Yvette Thornton**

Patent Agent

Sedna Services

1500 Market Street

27th Floor-West Tower

Philadelphia PA 19102

(267)

<SEDN\_PRED115 ASSIGNMENT (3).DOC>  
<SEDN\_PRED115 DECLARATION.DOC>

Jan-22-2007 05:06pm From-Moser, Patterson & Sheridan, LLP - NJ +17325309808 T-665 P.041/044 F-787

<CPEL0554708P PREPARED DECLARATION FOR INVENTORS.pdf>  
<10552784.pdf>

## EXHIBIT 7

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1500 Market Street  
27th Floor, West Tower  
Philadelphia, PA 19102  
p (267) 765-7100  
f (267) 765-7180  
[www.sedna.com](http://www.sedna.com)

December 7, 2006

Nathaniel J. Thurston  
Vidskipti Thorsteins ehf.  
Aegisgata 7  
101 Reykjavik, ICELAND

Dear Dr. Thurston,

As discussed in my email of November 20, 2006, we are prosecuting an international PCT application, which has a Chinese and a U.S. extension. The PCT application was filed incorrectly. To correct the error in the U.S. and China, we would like you to sign the following documents:

- (1) A combined Declaration and Power of Attorney for the U.S. Patent Application 10/552,784, which is an extension of International Application PCT/US2004/010311
- (2) An Assignment for U.S. Patent Application 10/552,784, which is an extension of International Application PCT/US2004/010311
- (3) A Declaration of Inventorship for the International Application Number PCT/US2004/010311 in China

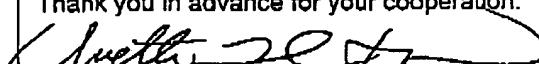
I have attached a copy of each one of the said documents along with a copy of the filed U.S. application. Please execute the said documents and mail us the originals. I have also enclosed as return postage paid envelope.

The referenced International Application has been published as WO2004091187. You can view the published document on the internet at <http://gb.espacenet.com> by entering the document number under "Number Search" on the left side of the screen.

If you have any questions, feel free to contact us via email or telephone. Also, our General Counsel, Larry Goldstein, would gladly explain these legal documents to you if you have questions or need further clarification.

No response to this letter will be interpreted as a refusal to sign.

Thank you in advance for your cooperation.

  
Yvette Thornton  
Patent Agent  
[Yvette.Thornton@sedna.com](mailto:Yvette.Thornton@sedna.com)

**Yvette Thornton**

---

**From:** Heather Wronoski  
**Sent:** Tuesday, December 12, 2006 12:42 PM  
**To:** Yvette Thornton  
**Subject:** FW: FedEx Shipment 790132188794 Delivered

For your files...

---

**From:** TrackingUpdates@fedex.com [mailto:TrackingUpdates@fedex.com]  
**Sent:** Tuesday, December 12, 2006 12:28 PM  
**To:** Heather Wronoski  
**Subject:** FedEx Shipment 790132188794 Delivered

---

This tracking update has been requested by:

Company Name: TVGATEWAY  
Name: Anne Appleton  
E-mail: heather.wronoski@sedna.com

---

Our records indicate that the following shipment has been delivered:

Tracking number:	790132188794
Reference:	6442185
Ship (P/U) date:	Dec 7, 2006
Delivery date:	Dec 12, 2006 14:31 PM
Sign for by:	T.HORA
Delivered to:	Receptionist/Front Desk
Service type:	FedEx International Priority
Packaging type:	FedEx Pak
Number of pieces:	1
Weight:	0.8 LB

Shipper Information  
ANNE APPLETON  
TVGATEWAY  
1500 MARKET ST  
25TH FL - WEST TOWER  
PHILADELPHIA  
PA  
US  
19102

Recipient Information  
NATHANIEL THURSTON  
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Jan-22-2007 05:06pm From-Moser, Patterson & Sheridan, LLP - NJ +17325309808 T-685 P.044/044 F-787

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

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1/17/2007

PAGE 44/44 \*RCVD AT 1/22/2007 5:06:02 PM [Eastern Standard Time]\* SVR:USPTO-EFXRF-5/16 \* DNIS:2738300 \* CSID:+17325309808 \* DURATION (mm:ss):07-54